

## **HR Weekly Podcast 12/10/2014**

Today is December 10, 2014, and welcome to the HR weekly podcast from the State Human Resources Division. Today's topic concerns Ebola exposure and workplace considerations for the United States.

Information for this podcast was gathered from an article entitled "Ebola: Emerging Concerns for Healthcare Facilities and Employers" by Michael Oliver Eckard and Jean Kim and information provided by the South Carolina Department of Health and Environmental Control, or DHEC. Ebola is a disease in humans and can be fatal without proper treatment and care. Typical signs and symptoms of the disease can include a sudden onset of fever, intense weakness, headache and sore throat, followed by more serious health issues such as impaired kidney and liver function. The incubation period, or the time from infection to onset of symptoms, ranges from two to 21 days. Patients are not contagious during the incubation period, but rather are contagious once they begin to show symptoms of the disease.

The Centers for Disease Control and Prevention, or CDC, confirmed that the first United States case of the Ebola disease was diagnosed in Dallas, Texas, on September 30, 2014. The Ebola virus outbreak in West Africa has reached the extent of an international health emergency according to the World Health Organization, or WHO. While the Ebola virus has not been declared as a major health issue among the United States population and no cases are in South Carolina at this time, employers should anticipate the decisions that could arise, including educating management and employees as well as leave from work. Employers should also be prepared to address employee questions and concerns regarding workplace safety.

"Employers should first understand that the ADA impacts how a company engages its employees about the Ebola virus in two major ways," states Eckard, an attorney with the Ogletree Deakins law firm. The Americans with Disabilities Act, or ADA, controls when an employer may make medical inquiries or require medical examinations of applicants and employees and prohibits employers from excluding employees from the workplace for health or safety reasons unless they pose a direct threat to others. "To determine if and when certain medical inquiries may become appropriate, employers should monitor any pertinent guidance issued from the United States Equal Employment Opportunity Commission, or EEOC, and the CDC and consult with their employment counsel," says Eckard.

Further information and updates regarding the Ebola virus can be found on the CDC's website at [www.cdc.gov](http://www.cdc.gov), as well as the DHEC site at [www.scdhec.gov](http://www.scdhec.gov). Thank you.